

THE EFFECTIVE DATE OF THIS ORDINANCE IS JANUARY 1, 2005

ORDINANCE NO. 04-16-360

Re: Establishment of a Special Fire and Rescue Taxing District
for the Emmitsburg Area

PREAMBLE

Pursuant to Section 2-8-6 of the Frederick County Code (2004), as amended, the Board of County Commissioners of Frederick County, Maryland, has the authority to establish special taxing districts for fire and rescue services.

The Frederick County Volunteer Fire and Rescue Association submitted a letter to the Board of County Commissioners pursuant to Section 2-8-6 of the Frederick County Code (2004), as amended, requesting the establishment of special taxing districts for urban and suburban areas.

With due notice, and after a public hearing held on April 10, 2001, the Board of County Commissioners of Frederick County, Maryland adopted Ordinance No. 01-08-282, entitled "Establishment of a Special Fire and Rescue Taxing District for Urban and Suburban Areas and Setting the District Tax Rate."

Under Ordinance No. 01-08-282, the Board of County Commissioners established an Urban Fire and Rescue Tax District and a Suburban Fire and Rescue Tax District, as shown on the Official Fire and Rescue Tax District Map on file in the Office of the Frederick County Board of County Commissioners.

The determination by the Board of County Commissioners to include a geographical area within either the urban or suburban tax district was dependent

upon the number of hours of paid County fire and rescue employees who were stationed within the area in order to provide service so that the local fire and rescue companies could meet the minimum response criteria set forth in Section 1-2-61 of the Frederick County (2004), as amended.

At the time Ordinance No. 01-08-282 was adopted, the Emmitsburg area was served solely by volunteers; no paid County employee fire and rescue personnel were stationed in the Emmitsburg area.

The Emmitsburg area, at the request of the Emmitsburg Ambulance Company and the Emmitsburg Volunteer Fire Company, was not included within either the urban or suburban districts created under Ordinance No. 01-08-282.

Subsequently, the Board of County Commissioners has been requested by the Emmitsburg Ambulance Company to provide paid County fire and rescue personnel to ensure service that meets the minimum service criteria set forth in Section 1-2-61 of the Frederick County Code (2004), as amended.

The notices required by the Frederick County Code (2004), as amended, have been sent to all property owners within the proposed Emmitsburg Fire and Rescue Tax District and prior notice has been published in an appropriate newspaper in accordance with the requirements of Frederick County Code (2004), as amended.

The Board of County Commissioners held a duly advertised public hearing on this Ordinance on November 9, 2004. The public had an opportunity to comment at the Board of County Commissioners public hearing.

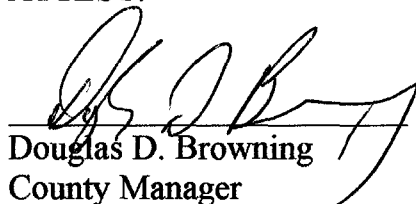
NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE
BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY,
MARYLAND, as follows:

1. The "Emmitsburg area" as shown on the proposed "Emmitsburg Fire and Rescue Tax District" map be included within the Urban Fire and Rescue Tax District.
2. The amount of the special tax now imposed on the Emmitsburg area pursuant to Frederick County Code (2004), as amended, Section 1-8-152(c) is thirteen and one-half cents (\$0.135) per one hundred dollars (\$100.00) of assessed value.
3. The assessment for the Emmitsburg Fire Tax District is effective January 1, 2005.
4. The Official Fire and Rescue Tax District Map on file in the Office of the Frederick County Board of County Commissioners shall be amended to include the "Emmitsburg area" within the Urban Fire and Rescue Tax District.

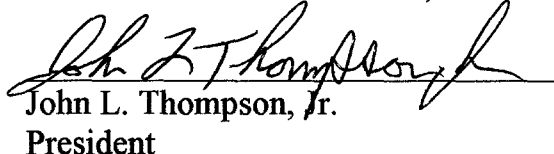
AND BE IT FURTHER ENACTED AND ORDAINED BY THE BOARD
OF COUNTY COMMISSIONERS, that this Ordinance shall take effect on
January 1, 2005.

The undersigned hereby certifies that this Ordinance was approved and
adopted on the 30th day of November, 2004.

ATTEST:


Douglas D. Browning
County Manager

BOARD OF COUNTY COMMISSIONERS
OF FREDERICK COUNTY, MARYLAND


John L. Thompson, Jr.
President